

REMARKS

Applicants respectfully traverse and request reconsideration.

The Specification is objected to because it allegedly adds new matter. Applicants respectfully submit that the added matter was supported by the original disclosure since the information was well known in the art. However, in order to expedite prosecution, Applicants have deleted the information. Accordingly, the objection should be withdrawn. Applicants have also removed the prior claim language that was added although Applicants respectfully believe that this language was inherent.

Applicants also wishes to thank the Examiner for the “Response to Arguments” section of the office action and appreciates that the Patent Office is entitled to give terms their broadest reasonable interpretation consistent with the Specification. Applicants respectfully submit that the interpretation being proffered by the Patent Office is not reasonable and is also contrary to the Specification. Accordingly, Applicants in an effort to expedite prosecution respectfully request documentation of the exact definition being used by the Patent Office for the term “graphics drawing commands” as well as the term “graphics data” (claim 19, for example) and “video” as used in claim 19, for example. It is clear from the Specification that the words “graphics drawings commands” and “graphics” is different from “video” not only in portions of the claims but also in the Specification. Video and graphics are not generated in the same way. Video is generated via a camera whereas graphics is generated based on graphics drawing commands. Applicants are unable to address the Examiner’s concerns without understanding the specific definitions being used by the Patent Office and the source of those definitions. Applicants also respectfully request the identification of the source of those definitions used by the Patent office as the current definitions as understood by Applicants are not reasonable in view of the claims and Specification nor are they consistent with the Specification.

Applicants respectfully note that as stated on pages 6 and 11, for example, graphics drawing commands are used to render graphics data. In contrast, video information such as MPEG encoded video for example, may be suitably decoded or encoded by a suitable encoder. Encoding and decoding are different from generating graphics data from drawing commands to create graphics image data as compared to video data. Not only does Applicants' Specification utilize the terms "graphics" and "video" to mean different information it is notoriously well known that the graphics drawing commands are used to generate graphics data – not video.

Applicants respectfully submit that the Examiner's own admission supports Applicants' position. In the office action on page 2 and 3, the Examiner states that Hannah teaches "video encoding" and how a "video receiver" should produce an image. It also refers to a "video frame" and also a "motion vector". All of these terms are directed to video decoding. Graphics are created from graphics drawing commands such as the graphics created when a computer system runs a game program. The characters rendered are not video, but instead are graphics as they are created using vertexes and polygons via drawing commands. Hannah does not teach the claimed subject matter as Applicants previously pointed out. Accordingly, Applicants respectfully submit that the claims are in condition for allowance. Applicants also respectfully reassert the relevant remarks made in their previous response.

Claims 15-20 and 24-29 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicants have removed a prior amendment.

Claims 15-20 and 24-29 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hannah. With regard to claim 24, Hannah fails to show, teach, or suggest, inter alia, sending graphics drawing commands wirelessly to be processed remotely, wherein the graphics drawing commands produce graphics data.

As best understood by Applicants, Hannah discloses a video data stream that is re-encoded using motion vectors from a prior encoding operation. The video data may be enhanced by the system. Information about the enhancement, along with the decoded motion vectors, is sent to encoding circuitry. Information provided to the encoder is tailored to the type of video data received or to the type of enhancement performed, or based on other criteria. Using the previously derived motion vectors, the encoding circuitry performs fewer computations than when calculating motion vectors from scratch.

In the Office Action, the Examiner contends that motion vectors are analogous to graphics drawing commands. Applicants respectfully disagree that motion vectors are analogous to graphics drawing commands. However, in order to expedite prosecution, Applicants have amended claim 24 to include the limitation “wherein the graphics drawing commands when processed produce graphics data. Applicants can find no mention of sending graphics drawing commands wirelessly to be processed remotely, wherein the graphics drawing commands produce graphics data in the cited portions of Hannah. Hannah instead teaches encoding video.

Moreover, Applicants’ specification does not support the Examiner’s interpretation of motion vectors being analogous to graphics drawing commands, nor does the Hannah reference. In fact, the cited portions of Hannah actually contradict the Examiner’s interpretation. It is well known in the art that graphics drawing commands are used to create graphics objects by instructing graphics processing circuitry to draw a line, primitive, object or other graphic based on the drawing commands. Motion vectors in contrast are used on already created frames for the sole purpose of compressing already created frames. In other words, graphics drawing commands are used to create graphics – not to compress already existing frames.

Hannah also states the same. For example, in col. 7, line 41, Hannah states that “graphics elements are...created by...commands....” The motion vectors as described in Hannah and as

well known in the art are completely different and instead are used to compress existing frames of information to code a moving picture. Successive pictures or frames are compared and the motion of an area from one picture to another is measured to produce motion vectors. A coder attempts to predict the object in its new position by shifting pixels from the previous picture using the motion vectors. Motion vectors are used with already generated images or frames.

In addition, in each instance described in Hannah, (see for example column 7) the motion vectors or motion hints are all used to compress already generated images or objects. They are never used to create graphic elements. As such, Applicants respectfully submit that the Examiner appears to have misapprehended the Hannah reference and known terms of art and as such, Hannah does not teach what is alleged and the claims are in condition for allowance. If the rejection is maintained, Applicants respectfully request factual support for the Examiner's interpretation since it is inconsistent with Applicants' Specification, the cited reference and with terms of art. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 24.

Claims 15 and 26–30 are allowable for at least similar reasons as claim 24. Therefore, reconsideration and withdrawal of the rejection of claims 15 and 26–30 is respectfully requested.

Claim 16–19 and 25 each ultimately depend on claims 15 and 24, respectively, and are allowable for at least similar reasons. Claim 16–19 and 25 are also believed to be allowable for having novel and nonobvious subject matter. Therefore, reconsideration and withdrawal of the rejection of claims 16–19 and 25 is respectfully requested.

Accordingly, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

By: /Christopher J. Reckamp/
Christopher J. Reckamp
Reg. No. 34,414

Date: December 16, 2010

Vedder Price P.C.
222 N. LaSalle St., Suite 2600
Chicago, Illinois 60601
phone: (312) 609-7599
fax: (312) 609-5005